

LEGAL UPDATE: The Governor's Home or Work Order

The SCR Legal Team has been flooded with calls recently with questions related to Governor McMaster's recent "Home or Work" order. We would like to remind you, that while real estate is open for business, it's not business as usual. Please take every precaution required and necessary to keep yourself, your agents, your clients, and the public as safe as possible. Review the Q & A below for details on the Governor's Orders.

Q1. Do REALTORS® need to have special credentials or a letter from their BiC to travel to work and work-related activities?

A1. No, the Governor's orders require no such credentials.

To elaborate, Governor McMaster's "Home or Work" Order: [Executive Order 2020-21](#) is in now in effect. and details:

- SLED Clarification Regarding Travel Restrictions: Governor McMaster's orders DO NOT require citizens to possess special credentials to travel to essential work and activities. SCR advises REALTORS® should always have their license pocket card in their possession.
- The South Carolina Law Enforcement Division (SLED) [issued guidance](#) regarding the enforcement of Governor McMaster's orders and expressly noted:
"Law enforcement officers should continue to conduct enforcement activity in accordance with their own agency's practices and protocols. During the course of these normal operations, if an officer develops reasonable suspicion or probable cause that an individual is in violation of Executive Order 2020-21, or any other Executive Order, the officer may take the appropriate enforcement action. However, there is no requirement in any existing Executive Order that an individual must possess or be able to provide written proof regarding the individual's activities or travel, essential or otherwise."
- Nothing is prohibiting a business from issuing employees paperwork that states they are an essential employee and must travel to work at an essential business. Still, the Governor's executive orders do not require such a credential.

Q2. Can our clients leave their home to look at property at this time?

A2. Yes, residents can leave their home to look at property. The order allows residents to leave their home "for purposes of engaging in Essential Business" (Section 1, B page 6 of the [Governor's Order](#).) Real estate is an essential business. Non-residents (depending on their state of residence) may have to isolate or self-quarantine upon entering our state ([Executive Order 2020-14](#).)

[INFORMATION AS OF 4/9/20. PLEASE CALL THE LEGAL HOTLINE WITH QUESTIONS 803-772-5206.](#)

LINKS TO MORE RESOURCES

[CDC GUIDELINES](#)

[NAR GUIDE](#)

[SCR RESOURCES](#)